

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

DANIEL JOYCE,	)
Individually and on behalf of a class of others	)
similarly situated,	)
	)
Plaintiff,	)
	)
v.	)
	)
JOHN HANCOCK FINANCIAL SERVICES,	) Civil Action No.05-11428 – WGY
INC. SEVERANCE PAY PLAN and JOHN	)
HANCOCK FINANCIAL SERVICES, INC.,	)
as Administrator and Fiduciary of the John	)
Hancock Financial Services, Inc. Severance	)
Pay Plan	)
	)
Defendants.	)
	)

**PLAINTIFF'S CROSS-MOTION FOR SUMMARY JUDGMENT**

Plaintiff, Daniel Joyce, individually and on behalf of a putative class of others similarly situated (“Plaintiff”), pursuant to Rule 56 of the Federal Rules of Civil Procedure and Local Rule 56.1, hereby cross-moves for summary judgment in his favor against Defendants, John Hancock Financial Services, Inc. Severance Pay Plan (the “Plan”) and John Hancock Financial Services, Inc. (“Hancock” and collectively, the “Defendants”) judgment enter in his favor as to liability on all counts of Plaintiff’s Amended Complaint.<sup>1</sup>

As grounds for and in support of this Motion, Plaintiff relies on and incorporates fully herein his: 1) Statement of Undisputed Facts in Support of Plaintiff’s Cross-Motion for Summary Judgment; 2) Memorandum in Opposition to Defendants’ Motion for Summary Judgment and in

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<sup>1</sup> Plaintiff requests that judgment enter primarily on his substantive causes of action: Counts I, II(A), V and VI. In the alternative, Joyce requests that judgment enter as to liability on causes of action seeking equitable/declaratory relief: Counts II(B), III, IV, VII and VIII.

Support of His Cross-Motion for Summary Judgment; 3) Affidavit of Daniel Joyce; and 4)

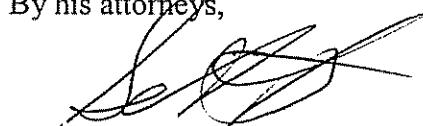
Affidavit of Seth J. Robbins.

WHEREFORE, Plaintiff respectfully requests this Court enter an order allowing Plaintiff's Cross-Motion for Summary Judgment as to liability on all counts of Plaintiff's Amended Complaint.

Respectfully submitted,

DANIEL JOYCE, et al.

By his attorneys,

  
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28 State Street, 31st Floor  
(617) 720-2626

Dated: July 26, 2006

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on July 26, 2006.

  
Seth J. Robbins

Date: July 26, 2006